

AC

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE BRICKLAYERS
AND ALLIED CRAFTSMEN LOCAL 56
FRINGE BENEFIT FUND,

Plaintiffs,

v.

COMPLETE MASONRY SOLUTIONS, INC.,
AN ILLINOIS CORPORATION, AND DOUG
WINIKATES, INDIVIDUALLY,

Defendants.

Case No. 08 cv 1981

Judge Dow

Magistrate Judge Cox

ORDER

THIS CAUSE coming on to be heard on Motion of Plaintiffs for entry of Default and Judgment Sum Certain against Defendant and for an Order requiring Defendant to turn over their books and records for audit; the Court finds as follows:

1. The Complaint was filed herein on April 8, 2008.
2. Process has been served upon Defendants, COMPLETE MASONRY SOLUTIONS, INC., AN ILLINOIS CORPORATION, AND DOUG WINIKATES, INDIVIDUALLY.
3. Defendants have filed no answer or other pleadings within the time provided by law.
4. Defendants are in default on their installment note with the Plaintiffs resulting in the full balance of \$8,701.42 being owed to the Plaintiffs.
5. Plaintiffs have expended \$3,080.00 in legal fees and cost in pursuit of the installment note delinquency.

IT IS HEREBY ORDERED:

1. Defendants are hereby defaulted and Judgment as to liability is entered against them and in favor of Plaintiffs.
2. Corporate Defendant, COMPLETE MASONRY SOLUTIONS, INC., is ordered to permit, within 30 days, an audit of his books and records of Plaintiffs' auditor. The audit will cover the period from January 1, 2007 to the present.
3. Corporate Defendant, COMPLETE MASONRY SOLUTIONS, INC., is ordered to produce the following records beginning as of January 1, 2007, for examination by Plaintiffs' auditor.
 - A. All cash disbursements journals;
 - B. All individual payroll records;
 - C. All time records which are the basis of the above-mentioned individual payroll records;
 - D. All State unemployment tax returns as requested by the Trustees;
 - E. All records showing Defendants' employees nature and classification of work, membership of those employees in, or contributions by Defendants on their behalf to, other trades, crafts, or fringe benefit funds.
4. Judgment is rendered against Defendants, COMPLETE MASONRY SOLUTIONS, INC., AN ILLINOIS CORPORATION, AND DOUG WINIKATES, INDIVIDUALLY, in the amount of \$11,782.42 to the Plaintiffs for the delinquent installment note, legal fees, and costs.

This Order is final and appealable as to the delinquent installment note, legal fees, and costs liability but is not as to the remainder of the Order.

DATED: June 17, 2008

ENTER: 
HONORABLE JUDGE DOW

DONALD D. SCHWARTZ
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